

HFS 94 COMMUNITY GRIEVANCE RESOLUTION PROCEDURES

[Applies to adults and minors who receive services for a mental illness, developmental disability, or substance abuse, no matter from whom or from where the services are received.]

SERVICE PROVIDERS COVERED: Hospitals, Outpatient clinics, AODA providers, Vocational and Day Services, Crisis Programs, Community Support Programs, Residential Settings, Group and Foster Homes, Nursing Homes, Day Treatment, In-Home Programs, and any other program that provides services for mental illness, developmental disabilities, or substance abuse or for people protectively placed under Sec. 55.06, Wis. Stats.. **EXCLUDED:** Private practitioners who work alone. For them, any patient rights issues are to be resolved through licensing, private legal actions, etc.

Time limit: 45 days to file a grievance. ▼ Extension possible for good cause.

PROGRAM LEVEL REVIEW

(Within the program or facility.)

[Two- step process:] (1) Client Rights Specialist (CRS) assigned within 3 business days/1 day in emergencies. Completes report within 30/5 days (non-emergency/emergency). [Informal resolution available at any time.] If either client or Program Manager do not agree with decision by CRS, then, (2) Program Manager issues own decision within 10/5 days. Client may appeal to next level within 14 days.

FOR COUNTY OPERATED OR COUNTY-CONTRACTED / AUTHORIZED PROGRAMS

COUNTY LEVEL REVIEW

Director of County Department or designee reviews prior report and decision and conducts any additional necessary investigation. Director issues decision within 30/10 (non-emergency/emergency) days. Any party may appeal to state level within 14 days.

FOR INDEPENDENTLY OPERATED PROGRAMS

STATE LEVEL REVIEW

State Grievance Examiner in DDES reviews prior reports and decisions and conducts any additional necessary investigation. (Consults with Licensing, Certification, Area Administrator or BQA as necessary.) Any party may appeal to the Administrator of the Division of Disability and Elder Services within 14 days.

FINAL STATE LEVEL REVIEW

Administrator of the Division of Disability and Elder Services conducts desk-review of first state level review and all earlier documentation. Administrator may request additional information. Parties may submit additional information and materials.

Note: At any point in time, the client has the right under § 51.61(7), Stats., to take the matter to court.